



DEPARTMENTS OF THE ARMY AND THE AIR FORCE
JOINT FORCE HEADQUARTERS, KENTUCKY NATIONAL GUARD
BOONE NATIONAL GUARD CENTER, 100 MINUTEMAN PARKWAY
FRANKFORT, KENTUCKY 40601-6168

NGKY-TAG

1 January 2020

MEMORANDUM FOR All Members of the Kentucky Army/Air National Guard and Employees

SUBJECT: (KYNG Log Number P20-004) Sexual Harassment

1. This policy memorandum supersedes KYNG Log Number P19-004.
2. References:
 - a. AFI36-2406, Officer and Enlisted Evaluation Systems, 14 November 2019.
 - b. DoDD 1020E, Diversity Management and Equal Opportunity in the DoD, 8 June 2015, Incorporating Change 2, Effective 1 June 2018.
 - c. KYNGI 9600.01, Kentucky National Guard Joint Civilian Discrimination Complaint Instruction, 1 October 2017.
 - d. NGR 600-21, Equal Opportunity in the Army National Guard, 22 May 2017.
 - e. AR 623-3, Evaluation Reporting System, 14 June 2019.
 - f. CNGBM 9601.01, National Guard Discrimination Complaint Process, 22 May 2017.
 - g. CNGBI 9601.01, National Guard Discrimination Complaint Program, 27 September 2015.
 - h. DoDD 1350.2, Department of Defense Military Equal Opportunity Program, 18 August 1995, Certified current as of 21 November 2003, Incorporating Change 2, 8 June 2015.
 - i. ANGI 36-7, Air National Guard Military Equal Opportunity Program, 25 April 2003.

3. It is my policy that all personnel should be able to enjoy a work atmosphere free from all forms of discrimination and harassment, including sexual harassment. Sexual harassment infringes on an individual's right to a comfortable work environment and is a form of misconduct that undermines the integrity of the employment relationship. No employee, male or female, military, or civilian, should be subjected to unsolicited and unwelcome sexual overtones or conduct, either verbal or physical, overt or subtle.

4. Sexual harassment refers to conduct which is offensive to the individual, harms morale and interferes with the effectiveness of our mission. Such conduct is prohibited.

a. Sexual harassment is defined to mean conduct that involves unwelcome sexual advances, requests for sexual favors, and deliberate or repeated offensive comments or gestures of a sexual nature when:

1) Submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career.

2) Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting the person.

3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile or offensive working environment.

b. Any person in a supervisory or command position who uses or condones implicit or explicit sexual behavior to control, influence, or affect the career, pay, or job of a military member or civilian employee, is engaging in sexual harassment. Similarly, any military member, or civilian employee who makes deliberate or repeated unwelcome verbal comments, gestures, or physical contact of a sexual nature is also engaging in sexual harassment.

5. It remains this Department's policy that sexual harassment is unacceptable conduct and will not be tolerated. Immediate disciplinary action will be taken against any employee engaging in sexual harassment. Such action may include suspension, change to a lower grade, removal, and/or other administrative actions.

6. Questions regarding this policy should be addressed to the State Equal Employment Manager, Human Relations/Equal Opportunity Officer (ARNG), or Equal Opportunity Professionals (ANG). Any person who believes that he or she has been the victim of sexual harassment, or who has any knowledge of that kind of behavior, is urged to report such conduct immediately. The conduct should be reported to the chain of command through the following:

a. Ms. Sheila Lawson, State Equal Employment Manager, 100 Minuteman Parkway, Building 210, Frankfort, Kentucky 40601, DSN 667-1274 or (502) 607-1274.


b. LTC Bobbie Jo "BJ" Badgett, Human Relations (HR)/Equal Opportunity (EO) Officer, Joint Forces Headquarters, Kentucky Army National Guard, DSN 667-1217 or (502) 607-1217.

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c. Capt Jillian S. McNary, Director of Equal Opportunity, 1101 Grade Lane, Building 800, Louisville, Kentucky 40213, DSN 741-4094 or (502) 413-4094.

7. In the event you feel that your concerns are not being adequately addressed, do not hesitate to bring any and all matters in the workplace to my personal attention in accordance with my open door policy.



HALDANE B. LAMBERTON
Brigadier General, KYNG
The Adjutant General